



Coimisiún um
Iomaíocht agus
Cosaint Tomhaltóirí

Competition and
Consumer Protection
Commission

Product Safety Legislation & the Role of Product Safety Unit

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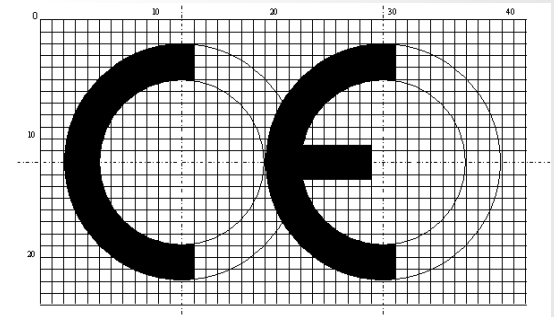
Role of Product Safety Unit

Unsafe non-food consumer products can cause accidents, injuries and in extreme cases, deaths

Our Primary Aim – Preventing Harm from Unsafe Products and so protect consumers from unsafe non-food consumer products

How do we prevent harm from unsafe products

- Ensure products comply with legislation
- Investigate complaints
 - Risk Assessment Protocol
- National Co-ordinator for RAPEX



How do we prevent harm from unsafe products

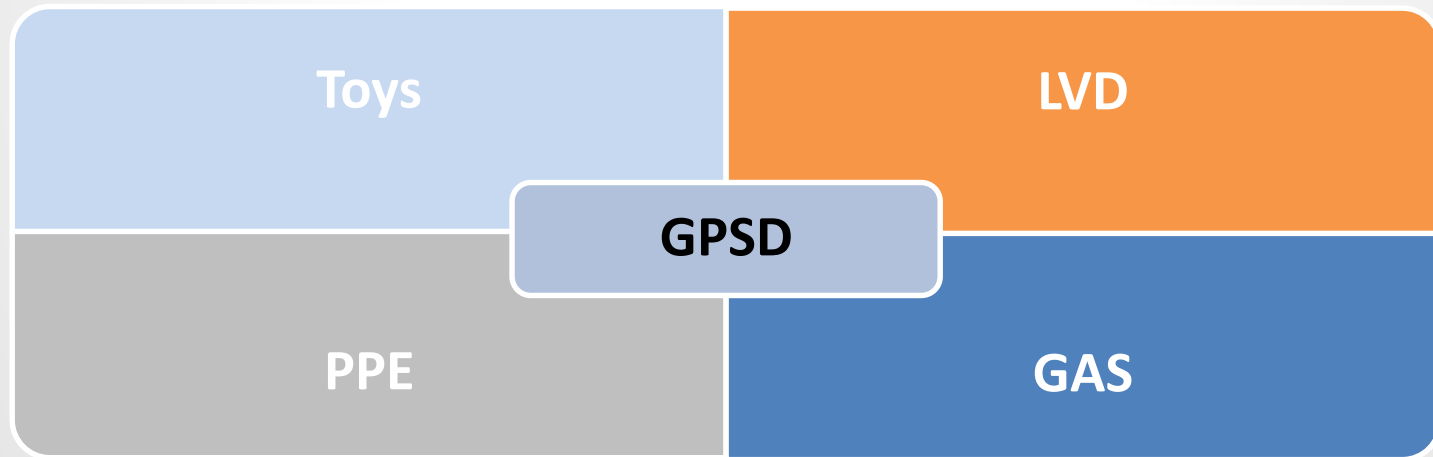
- Market Surveillance (incl. Customs)
- Consumer Awareness & Information
- Business Awareness & Information
- Customer Contacts / Complaints
- Rapex Notifications (EU)
- Monitor UK/TS & Global recalls

Rapex

- CCPC National Co-ordinator
- Weekly list Rapex Notifications
- Follow up on notifications under CCPC remit
- Monitor UK/TS & Global Recalls

Legislative Framework

EU Regulation 765/2008



Legislation

- EU Directives
 - General Product Safety Directive
 - Toy Safety Directive
 - Low Voltage Directive
 - Appliances Burning Gaseous Fuel
 - Personal Protective Equipment

Legislation

- National Regulations
 - 12 + regulations transposing the Directives
 - Criminal legislation
- Regulation (EC) 765/2008 - Market Surveillance
- Product Safety Orders

Market Surveillance

Market Surveillance Authority – Product Enforcement Responsibilities

CCPC	COMREG	D/TT&S	NSAI	EPA	D/AF&M
Low Voltage Directive	Radio and Telecommunications Terminal Directive /	Marine Equipment	MID	ROHS	Fertilisers
Toy Safety Directive	Radio Equipment Directive	Recreational Craft	NAWI		
General Product Safety Directive	Electromagnetic Compatibility Directive				
PPE (consumer)					
Gas Appliances					

Market Surveillance

Market Surveillance Authority – Product Enforcement Responsibilities				
HPRA	BCA	D/J & E	HSA	D/CCA & E
Medical Devices Cosmetics	Construction Products	Civil Explosives Pyrotechnics	ATEX REACH / CLP Detergents PPE (workplace) Lifts Pressure Equipment Transportable Pressure Equipment	Energy Related Products

Business Obligations

- Place only safe products on the market
- Unsafe products
 - Withdraw
 - Recall
 - Inform CCPC

Economic Operators

- Toys and Low Voltage include definitions of Economic Operators and each has similar specific obligations under the regulations
 - Manufacturer
 - Importer
 - Distributor
- LVD - Increased enforcement powers & market surveillance (from 765/2008)

Manufacturer

- Ultimate responsibility for the conformity of the product
- Designed and manufactured in accordance with safety objectives
- draw up the required technical documentation
- carrying out conformity assessment
- draw up the EU Declaration of Conformity
- Affix CE Marking

Manufacturer

- type, batch or serial number or other element allowing its identification
- (1) name
(2) registered trade name or registered trade mark
(3) a single contact postal address
- instructions & safety information
- sample testing

Manufacturer

- If considers or has reason to believe product not in conformity
 - Immediately take corrective action to bring product into conformity
 - Where it presents a risk, inform the competent authority – provide details of the non-compliances and corrective measures

Manufacturer

- Further to reasoned request from competent authority
 - Provide all the information and documentation necessary to demonstrate conformity
 - Co-operate in any action taken to eliminate the risk

Importer

- Shall not place product on market unless it complies with the regulations
- before placing a product on the market ensure
- Manufacturer has complied with their duties
 - conformity assessment
 - drawn up the technical documentation
 - affixed the relevant conformity marking (e.g. CE marking)
 - fulfilled traceability obligations product

Importer

- Manufacturer has complied with their duties
 - fulfilled traceability obligations
 - instructions and safety information
- Indicate Importer's name, registered trade name of registered trademark and the postal address
- Carry out sample testing

Importer

- Register of complaints, non-conforming, products and details of products recalls
- Inform distributor
- Bring product into conformity, withdraw or recall
- Inform competent authorities

Importer

- For 10 years after product placed on market
 - Copy Declaration of Conformity
 - Technical documentation
 - Further to reasoned request from competent authority, provide all information and documentation necessary to demonstrate conformity
 - Co-operate with competent authority on any action taken to eliminate risks

Distributor

- Only supply compliant products.
- Verify has CE mark
- Accompanied by the required documentation, instructions and markings including identification of the manufacturer and/or importer
- Safety information (correct language)

Distributor

- Ensure that storage and transport conditions do not jeopardise conformity of the equipment
- Inform the relevant national authorities if non conforming product presents a risk
- Take any corrective measure required to bring into conformity, recall or withdraw it from the market, if appropriate, are taken

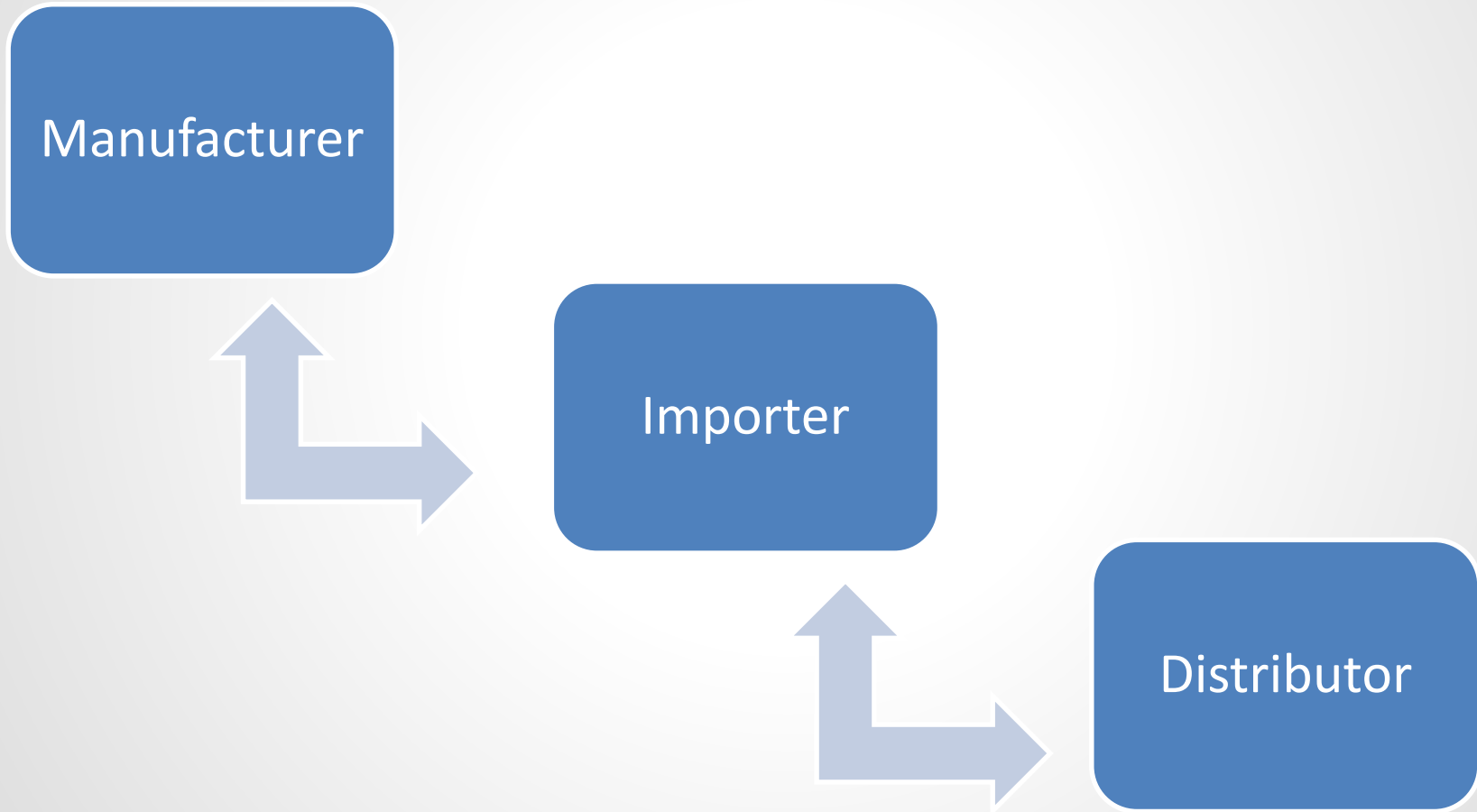
Distributor

- Provide information or documentation in paper or electronic form if requested.
- Co-operate with authorities on any action to eliminate the risks posed by CE marked equipment which they have placed on the market.

Manufacturer obligations apply if

- Importer or distributor places product on market under importer or distributor's name or trademark
- Modifies product so that compliance with regulations may be affected

Economic Operators



Product Safety Standards

- Measure conformity to essential safety requirements as required under the Directives
- Presumed to be in conformity
- Harmonised Standards
- NSAI

General Product Safety Directive

- Does not apply to a product subject to specific safety requirements imposed by a regulation of the Community or legislation giving effect to a directive of the Community
- Duties for producer & distributor
- Inform if 'on the basis of information in his or her possession and as a professional, ought to know...' poses a risk to the consumer

General Product Safety Directive

- Recall
- Withdraw
- Prohibit placing on the market
- No CE mark

General Product Safety Directive

- Wide variety of products not covered in the sector specific legislation
 - furniture
 - Child and child care articles
 - Candles
 - Children's clothing (cords & drawstrings)
 - Window blinds
 - Cigarette lighters

Toys

- Products designed or intended for use in play by children under 14 years of age
- Warnings
- Chemicals
- CE mark



Low Voltage Directive

- Electrical Equipment
 - 50-1000 volts (AC)
 - 75-1500 (DC)
- Designed & manufactured in accordance with safety objectives
- Manufacturer details / trademark
- Documentation
- CE Mark



Gas Appliances

- Appliances
 - Cooking, Heating, Hot water production, Refrigeration, Lighting, Washing
- CE mark
- Update



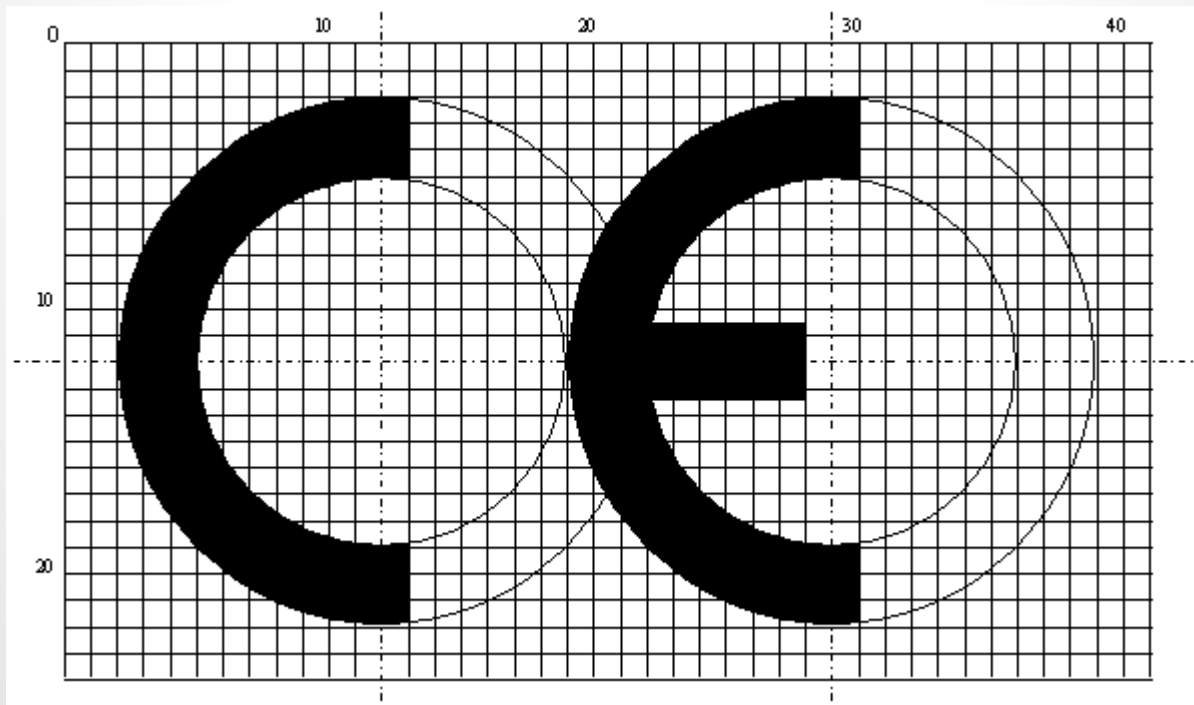
PPE

- Device or appliance designed to be worn or held by an individual for protection against one or more health and safety risks
- Leisure and recreation
- Basic health and safety requirements
- CE mark
- Update

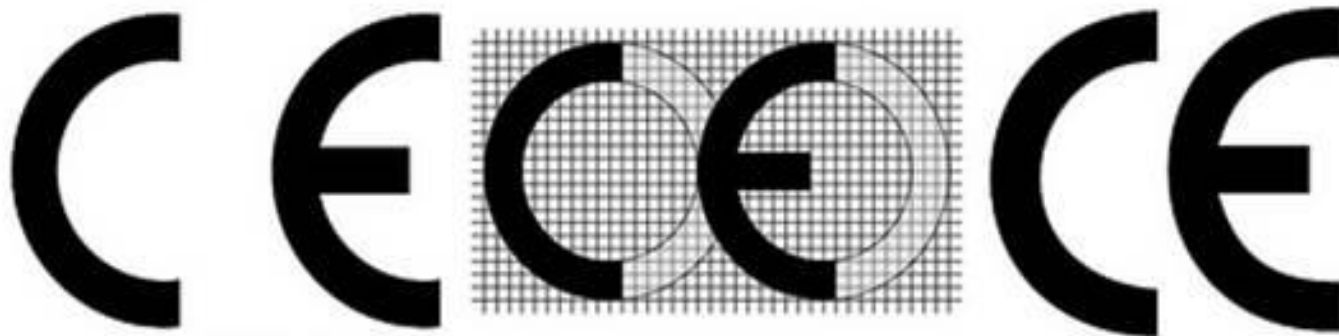
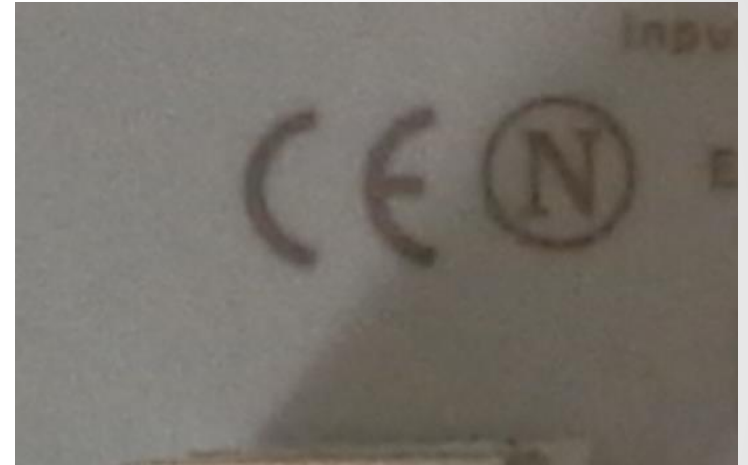
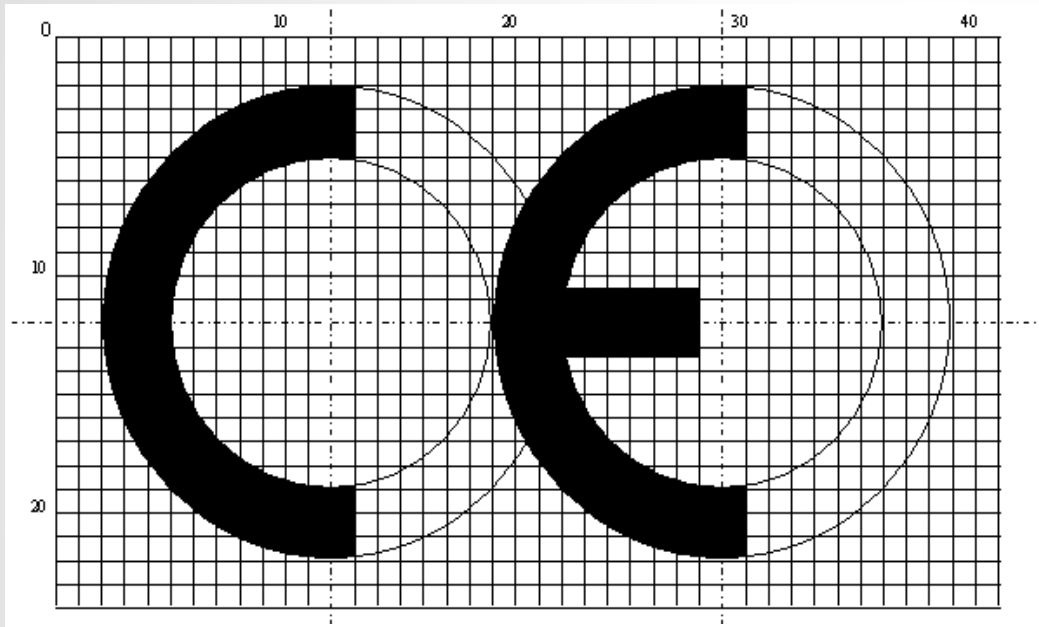


CE Mark

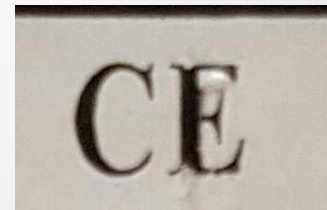
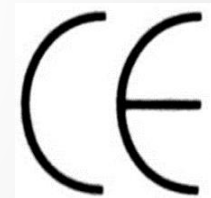
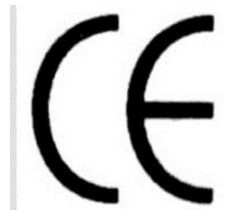
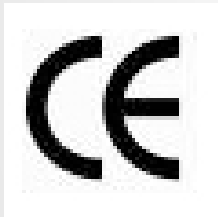
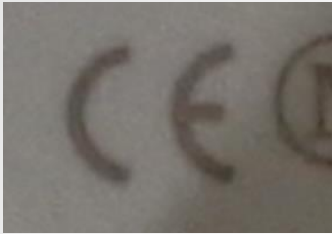
- Indicates that product meets essential requirements of the relevant Directive



CE Mark



CE Mark



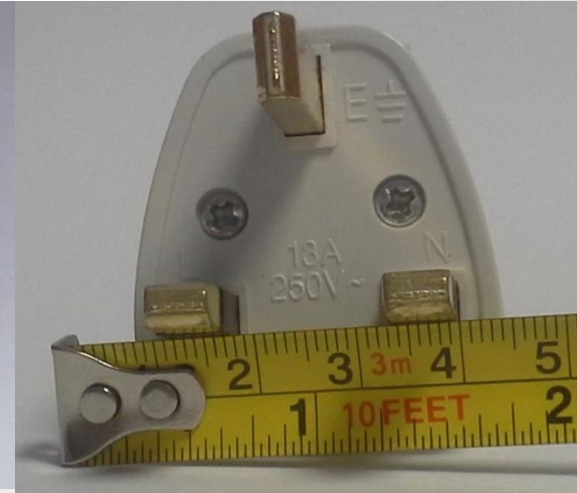
CE Mark

- Affixed by the manufacturer once they have completed the conformity assessment
- CE Certificate - Not same or equivalent to Declaration of Conformity
- Declaration must be drawn up by manufacturer

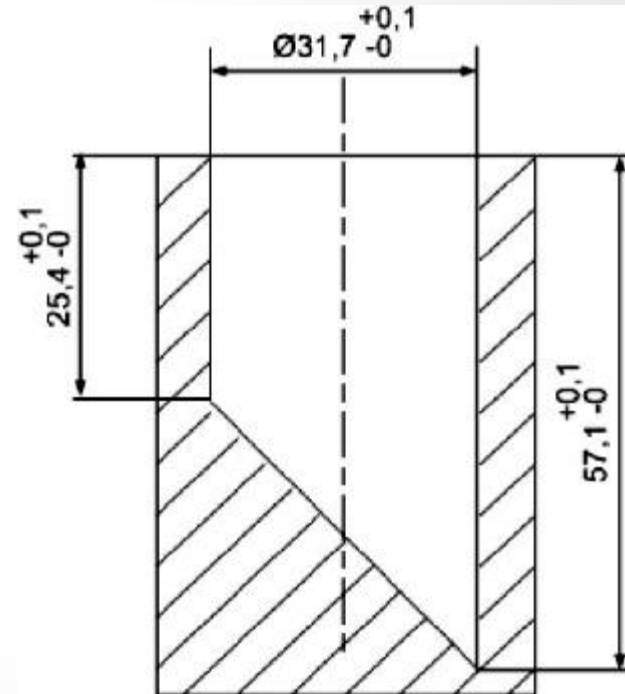
Plug type Phone Chargers



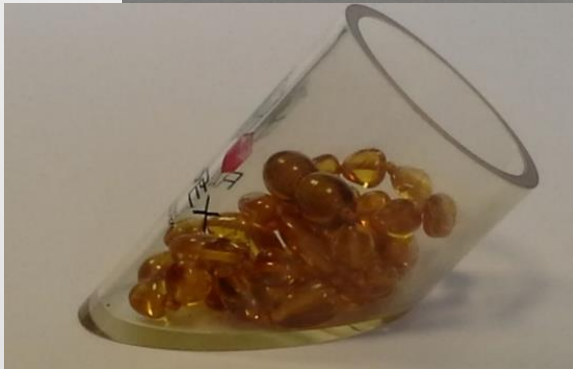
Plug Adapters / converters



Small Parts



Amber Teething Jewellery



Toys



Toys



Summary

Unsafe non-food consumer products can cause accidents, injuries and in extreme cases, deaths

Our Primary Aim – protect consumers from unsafe non-food consumer products



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Thank You

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